

REMARKS

In the Action, the Examiner has requested that the claims in the application be restricted to one of the following species:

- (a) wherein the product is fluid-filled;
- (b) wherein the product is hollow.

First, we believe that there is only one species of the invention in this application and that the restriction requirement should be withdrawn. All of the final molded products formed by the Applicant's inventive processes are hollow. The products during processing are fluid filled for a period of time, but eventually the fluid is exhausted in some manner from the cavity which it forms in the part.

In this regard, the fluid which is used to make the internal cavity can be either a gas or a liquid. See Par. [025] of the specification where the fluid is referred to as compressed air, nitrogen gas or water.

Second, if the Examiner desires to continue with the restriction requirement, then the Applicant suggests that the claims presently pending in the case, namely claims 1-53, can be divided into these two species as follows:

- (a) Claims 12-32, 34-39
- (b) Claims 1-11, 33, 40-53

The two groups correspond to the two species/groups set forth in the Action.

Finally, in the response to the Examiner's request for election of one species to examine at this time, the Applicant hereby elects the claims of group (b), namely claims 1-11, 33 and 40-53.

This election is being made with traverse since it is believed that all of the claims can be and should be examined together.

The Examiner is also directed to the Terminal Disclaimer that was filed with the September 17, 2007, Amendment. Earlier, that is, before the application lapsed and was reinstated, claims 1-22 and 33-39 were rejected on grounds of nonstatutory obviousness-

type double patenting as being unpatentable over the claims of commonly-owned U.S. Patent No. 6,716,387. The Terminal Disclaimer overcame that rejection. Also, the Examiner is reminded that claims 23-53 were allowed earlier as filed in the original application – and that a restriction requirement had not been made in the case at that time.

Respectfully submitted,

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